



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,651	03/29/2001	Takao Yoshimine	275747US6	5730
22850 7590 09/25/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER CHANKONG, DOHM	
			ART UNIT 2152	PAPER NUMBER
			NOTIFICATION DATE 09/25/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

09/821,651

Applicant(s)

YOSHIMINE ET AL.

Examiner

Dohm Chankong

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,9-11,14-16 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6, 9-11, 14-16, and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1> This action is in response to Applicant's amendment, filed 7.3.2007. Claims 1, 6, 11, 16, and 21 are amended. Claims 1, 4-6, 9-11, 14-16, and 19-21 are presented for further examination.
- 2> This is a final rejection.

Response to Arguments

- 3> Applicant amends claims 1, 6, 11, and 16 to recite the control file including a schedule of content distribution and an interface for editing said schedule. Applicant's amendments do overcome the Prust, Burson, Cohen and admitted prior art rejection. Therefore, these rejections are withdrawn.

However, Applicant's arguments do not address the Prust, Burson, Coates and admitted prior art rejection of claims 1, 6, 11, 16 and 21 [see non-final Office action, pgs. 9-13]. Coates was relied upon to the control file for controlling access by another user. Coates discloses that the control file contained a schedule with a timeout parameter for distributing content [column 27 «lines 20-24» where : a period of time is specified where a user can access the file]. Coates did not expressly disclose an interface for editing the condition data but did disclose that a user can specify the time period which implies the use of an interface [see non-final Office action, pgs. 12-13].

Coates time-out parameter is analogous to a content schedule as the parameter specifies when the content is available for distribution to a user. The content can only be

Art Unit: 2152

distributed if the content is accessed within the time period set by the parameter. This functionality is interpreted as analogous to the claimed schedule.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4> Claims 1 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claim 1 and 16 recite that a schedule “may be” edited via the interface. The term “may be” renders the claim indefinite because the step is not required to take place. The claims should be amended to more clearly state functionality required by the interface.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5> Claims 1, 5, 6, 10, 11, 15, 16, 20, and 21 are rejected under 35 U.S.C §103(a) as being unpatentable over Prust, U.S Patent No. 6,714,968 in view of Burson et al, U.S Patent No.

Art Unit: 2152

6.405.245 ["Burson"], in further view of Coates et al, U.S Patent No. 6.952.737 ["Coates"], in further view of Applicant's Admitted Prior Art ["AAPA"].

6> As to claim 1, Prust discloses an information processing device, comprising:

transmitting means for transmitting user registration data necessary to secure a user's exclusive storage area in a server connected in a network, to said server over a network [abstract | Figure 8 «items 805, 807» | column 7 «line 59» to column 8 «line 7»];

receiving means for receiving address data designated as an access point indicating said exclusive storage area oriented to said user registration data from said server over said network [column 5 «lines 29-38» | column 6 «lines 23-36 and 59-62» where: Prust discloses using a web browser to access the storage area. Therefore it is implicit that an address is transmitted from which the user can access the area]; and

wherein each of said automatic upload programs is programmed to connect to a unique part of said exclusive storage area [Figure 5 | column 6 «lines 28-35» where : Prust';

connection means for performing connection processing automatically to said access point in the said server based on said address data received by said receiving means [column 6 «lines 23-36» where: Prust discloses automatically connecting to the remote directory using a script];

transfer means for writing a data file to the exclusive storage area automatically when connection processing is performed [Figure 5 where : the script automatically writes information the specified storage area when connected to the storage area].

Art Unit: 2152

Prust discloses utilizing scripts (upload programs) to connect to remote storage but does not disclose:

that the address data is defined, in part, by the user registration data;
receiving the one or more automatic upload programs;
performing connection processing automatically via actuation of a corresponding upload icon; and
transferring a control file used for controlling access by another user.

7> Applicant submits as prior art that it is well known, when assigning an exclusive storage area in the server to a user, that a universal resource locator (URL) related to the user ID, is issued. Applicant's specification, pg. 2, ¶ 2. Prust implicitly suggests such functionality as well [Figures 6 & 7]. Prust discloses that the user is assigned storage area with addresses having the same name as the user ID [the name "Prust" defines the storage directory in Figure 6, and defines the email address in Figure 7].

Thus, it would have been obvious to one of ordinary skill in the art that the combination of Prust and the AAPA disclose that the address data is defined, in part, by the user registration data (such as a user ID). One would have been motivated to provide the user with the ability to easily access and transfer data to his storage information [see Prust column 7 «lines 7-34»].

8> In the same field of invention, Burson discloses a system for accessing personal data. One of the methods that Burson achieves this functionality is by having the client download

Art Unit: 2152

an application to the client; the application is then responsible for automated data communications between the client and the server [Figure 2 | column 3 «lines 15-29» | column 15 «lines 1-45» where : the receiving means is implied and inherent in Burson's client computer and software. The computer is connected to the Internet and downloads the necessary automatic upload program; therefore, the client must be equipped with a receiving means that downloads the program].

Performing connection processing automatically via actuation of a corresponding upload icon is a well known feature in the art. Burson also discloses this feature [abstract | column 14 «lines 45-48»]. Burson discloses that the link or other interactive mechanism is advantageous because it provides a user a quicker mechanism for accessing his access point [column 14 «lines 49-54»].

Thus, it would have been obvious to one of ordinary skill in the art to incorporate Burson's downloading functionality into Prust's system, modifying Prust's scripts so they are downloaded from the server as taught by Burson. One would have been particularly motivated to perform such an implementation to enable Prust's scripts to be platform independent (JAVA applet, as is well known in the art) and would further enhance Prust's stated objective of providing a variety of remote access possibilities to the storage site. It is further advantageous to provide automated actions for logging on and accessing access points within a remote storage server as is taught in Burson.

9> In the same field of invention, Coates is directed towards establishing virtual file systems that allows clients to upload and download content files [abstract]. A distinguishing

Art Unit: 2152

function proposed in Coates is that users have control over the availability of uploaded content files; for example, a client can “specify a period of time that the SRL (storage resource locator) is valid (i.e., a period of time that the end-user may access the file)” [column 27 «lines 20-24»].

Therefore, Coates teaches transferring an associated control file controlling distribution of the transferred content file from the server, the control file including the condition data set up through the interface and user information data related to the user registration [column 7 «lines 47-53» | column 27 «lines 11-40» : specifying a period of time when a file can be accessed by another end-user]. Coates does not expressly disclose an interface for editing condition data to manage distribution of an associated content file. However Coates does disclose that the client is permitted to specify the time period (analogous to Applicant’s condition data) that the file is available; this feature implies an interface that would allow the client to specify the time period. It would have been obvious to one of ordinary skill in the art to incorporate Coates’s SRL functionality into Prust’s remote user storage system for the advantages of enabling security features and allowing a user to control when and how end-users can access their files.

10> As to claim 5, Prust discloses an information processing device of claim 1 wherein said address data is a uniform resource locator (URL) for designating resources on said network [column 5 «lines 29-38» | column 6 «lines 23-36 and 59-62» | column 7 «lines 26-30»].

Art Unit: 2152

11> As to claims 6, 11 and 16, as they are merely methods or mediums that perform the same steps of the device of claim 1, they are rejected for the same reasons set forth for claim 1, supra.

12> As to claims 10, 15 and 20, as they are merely methods or mediums that perform the same steps of the device of claim 5, they are rejected for the same reasons set forth for claim 5, supra.

13> As to claim 21, Prust does not expressly disclose the data file is a movie file and the control file comprises at least one of a time and date for scheduling access to the media file.

14> Coates discloses the data file is a movie file and the control file comprises at least one of a time and date for scheduling access to the media file [column 18 «lines 2-12» | column 27 «lines 11-40»]. It would have been obvious to one of ordinary skill in the art to incorporate Coates' control file functionality into Prust's personal storage system to enable a client to specify when certain files can be accessed because such a feature would improve Prust's system.

15> Claims 4, 9, 14, and 19 are rejected under 35 U.S.C 103(a) as being anticipated by Prust, Burson, Coates and AAPA, in further view of Hayes, Jr. et al ("Hayes"), U.S Patent No. 6,339,826.

Art Unit: 2152

16> As to claim 4, Prust and Burson disclose the information processing device wherein said connection means is to perform connection processing to said access point in said server in response to a click operation on an exclusive icon which is displayed on a given display unit [see Prust, column 5 «lines 29-38 and 45-59»] but do not explicitly disclose that the icon drives an automatic upload program.

17> Hayes teaches an icon that drives an automatic connection setting program [Figure 7, items 710 712, 714, and 716 | column 14 «lines 7-26 and 50-65】. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Hayes' icon functionality into Prust and Burson increase the security of the device by associating specific icons (and their related applications) to users, which would consequently allow users to access only those applications on the server which they are authorized. Additionally, the use of icons with applet programs such as those seen in Burson and Hayes is well known in the art.

18> Claim 9 is a method that claims the steps carried out by the information processing device of claim 4. Therefore, claim 9 is rejected for the same reasons as set forth for claim 4, supra.

19> Claim 14 is a storage medium that claims the steps performed by the information processing device of claim 4. Therefore, claim 14 is rejected for the same reasons as set forth for claim 4, supra.

Art Unit: 2152

20> Claim 19 is a network system consisting of a server and information processing device connected to said server that performs the steps of the information processing device of claim 4. Therefore, claim 19 is rejected for the same reasons as set forth for claim 4, supra.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

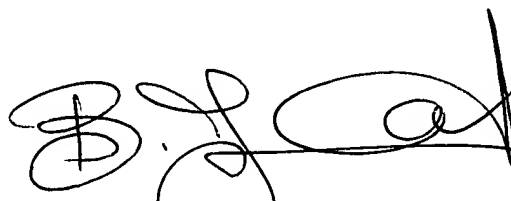
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

Art Unit: 2152

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

9/17/7